



# Town of Cottesloe

I hereby certify that the minutes of the Council meeting held on

**Tuesday, 25 June 2019**

were confirmed as a true and accurate record by Council resolution.

Signed:

A handwritten signature in blue ink, appearing to be 'M. K. ...', written over the printed text 'Signed:'.

Presiding Member

Date:

20.08.2019

# TOWN OF COTTESLOE



## ORDINARY COUNCIL MEETING

# MINUTES

ORDINARY COUNCIL MEETING  
HELD IN THE  
Council Chambers, Cottesloe Civic Centre  
109 Broome Street, Cottesloe  
6:00 PM Tuesday, 25 June 2019

**MAT HUMFREY**  
Chief Executive Officer

1 July 2019

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**1 DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS**

The Presiding Member announced the meeting opened at 6:00pm.

**2 DISCLAIMER**

The Presiding Member drew attention to the Town's Disclaimer.

**3 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

The Mayor announced that the meeting is being recorded, solely for the purpose of confirming the correctness of the Minutes.

**4 PUBLIC QUESTION TIME****4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

**4.2 PUBLIC QUESTIONS**

Nil

**5 PUBLIC STATEMENT TIME**Andrew Howe – Element – 10.1.1

- ) Commenced process about 18 months ago
- ) Went through an engagement period
- ) There's been a lot of work around this site
- ) We're comfortable about recommendations
- ) Council has commenced development of a Local Area Plan
- ) When redeveloping a large site there is a window in time in which to commence redevelopment
- ) We're requesting that point one of the recommendation where it says to defer consideration of the proposed scheme amendment should say it be deferred for a period of up to six months and then be reconsidered
- ) With the window in time in which to do this or it could be eight to 10 years before we can redevelop this site
- ) There is a risk of things well beyond our control so we request a period of time for this to be deferred

Natasha Reynolds – Youth Care Chaplaincy –new area chaplain

- ) Ms Reynolds thanked Council for its support over the years and outlined some of the successful programs they've been dealing with.
- ) Students were constantly referred to external agencies

- ) Lunch-time programs have been a great success so thanks for the support there.
- ) Lunch-time programs
- o social justice group – young leaders in the school are encouraged to discuss different ways they can reach out to the community, reach out to other organisations e.g. sell clips to raise funds for cancer research or collect 5c coins to donate to a local charity, they often do blankets, winter appeal. Those students – it’s just a facilitated meeting and they’re encouraged to think of the community and beyond and how to reach out to them
  - o One of our chaplains has been able to do is to connect with the community links, the Lions or another and gave away a lot of ticket for a RAC performance and was able to give those tickets to quite a few families who would really benefit from some good old family connection time of Mother’s Day

## 6 ATTENDANCE

### Elected Members

Mayor Philip Angers  
 Cr Mark Rodda  
 Cr Michael Tucak  
 Cr Helen Sadler  
 Cr Lorraine Young  
 Cr Sally Pyvis  
 Cr Melissa Harkins

### Officers

Mr Mat Humfrey	Chief Executive Officer
Mr Garry Bird	Deputy Chief Executive Officer
Ms Freya Ayliffe	Manager of Compliance and Regulatory Services
Mr Shaun Kan	Manager Engineering Services
Ms Jana Joubert	Coordinator Strategic Planning
Ms Mary-Ann Winnett	Governance Coordinator

### 6.1 APOLOGIES

Cr Rob Thomas

#### Officers Apologies

Nil

### 6.2 APPROVED LEAVE OF ABSENCE

Nil

**6.3 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**7 DECLARATION OF INTERESTS**

Mayor Angers declared a FINANCIAL INTEREST in item 10.1.1

Mayor Angers declared an IMPARTIALITY INTEREST in item 10.1.4

Cr Young declared an IMPARTIALITY INTEREST in item 10.1.9

Cr Young declared an IMPARTIALITY INTEREST in item 11.1

Cr Pyvis declared an IMPARTIALITY INTEREST in item 10.1.11

Cr Pyvis declared an IMPARTIALITY INTEREST in item 11.1

Cr Harkins declared an IMPARTIALITY INTEREST in item 11.1

\*Cr Tucak declared an IMPARTIALITY INTEREST in item 10.1.1

\*Cr Tucak declared an IMPARTIALITY INTEREST in item 11.1

\*Cr Tucak's interests were included in the minutes, as resolved by Council, at item 8 of the Ordinary Council Meeting held on 23 July 2019.

**8 CONFIRMATION OF MINUTES**

**Moved Cr Rodda**

**Seconded Cr Young**

**That the Minutes of the Ordinary Meeting of Council held on Tuesday 28 May 2019 be confirmed as a true and accurate record.**

**Carried 6/1**

**For: Mayor Angers, Crs Rodda, Tucak, Sadler, Young and Harkins**

**Against: Cr Pyvis**

**Moved Cr Rodda**

**Seconded Cr Harkins**

**That the Minutes of the Special Meeting of Council held on Tuesday 18 June 2019 be confirmed as a true and accurate record.**

**Carried 6/1**

**For: Mayor Angers, Crs Rodda, Tucak, Sadler, Young and Harkins**

**Against: Cr Pyvis**

**9 PRESENTATIONS**

**9.1 PETITIONS**

Nil



**9.2 PRESENTATIONS**

Nil

**9.3 DEPUTATIONS**

Nil

For the benefit of the members of the public present, the Mayor announced that items 10.1.1, 10.1.2, 10.1.5, 10.1.6, 10.1.7, 10.1.8, 10.1.9, 10.1.10, 11.1 have been withdrawn for discussion. All other items will be dealt with en bloc.

The Mayor announced that item 11.1 would be dealt with first.

**10 REPORTS****10.1 REPORTS OF OFFICERS****PLANNING****10.1.1 PROPOSED SCHEME AMENDMENT TO LOCAL PLANNING SCHEME NO. 3 (7 AND 11 STATION STREET COTTESLOE)**

**File Ref:** SUB/2798  
**Attachments:** 10.1.1(a) Element Scheme Amendment Report - 7 and 11 Station Street Cottesloe [under separate cover]  
10.1.1(b) Local Area Plan Boundaries [under separate cover]  
**Responsible Officer:** Mat Humfrey, Chief Executive Officer  
**Author:** Jana Joubert, Coordinator Strategic Planning  
**Author Disclosure of Interest:** Nil

Mayor Angers declared a **FINANCIAL INTEREST** in item 10.1.1 by virtue "his wife, himself and partners own a toy shop there."

\*Cr Tucak declared an **IMPARTIALITY INTEREST** in item 10.1.1 by virtue "Element is known to him."

\*Cr Tucak's interest was included in the minutes as resolved by Council at item 8 of the Ordinary Council Meeting held on 23 July 2019.

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**SUMMARY**

A request for a scheme amendment to Local Planning Scheme No. 3 (LPS3) has been received from Element on behalf of the land owner of 7 and 11 (Lots 50 and 35) Station Street, Cottesloe. The purpose of the amendment is to allow for an increase in building height of up to 10 storeys (35 metres) and to facilitate changes to setback and plot ratio controls and other land use, access and built form considerations.

The intent of the amendment is to modify Table 2 of LPS3, to introduce site-specific development requirements within Schedule 12 – Special Provisions and to introduce a new building envelope diagram (similar to those of Schedule 15) within a new Schedule 16 that relates specifically to 7 and 11 Station Street (Lots 50 and 35), Cottesloe.

The proponent's scheme amendment report, which includes details of and the justification for the proposal, is **attached** at [Attachment \(a\)](#).

**BACKGROUND**

In November 2018 Element presented to Council their intention to progress a scheme amendment for 7 and 11 Station Street, the purpose of which was to seek to increase the permissible building height provisions of Table 2 of LPS3 from 3 storeys (11.5m) to a considerable increased height limit.

A subsequent independent workshop was hosted by Element in March 2019 during which the community was invited to attend and participate in a conversation about the

revitalisation of the subject site. It is understood that the proposal was positively received and that the feedback and comments collected were taken into consideration during the drafting of the amendment parameters.

In April 2019 a preliminary meeting was held between the proponents of the proposed scheme amendment and the Town's officers regarding Lots 7 and 11 Station Street, during which the requirement for additional development controls were discussed and which ultimately informed the scheme amendment approach.

The proponents were advised by officers that an amendment to LPS3 would require the endorsement of Council and the proposal was thus presented to Council at the April Briefing Forum, after which a scheme amendment application was formally submitted by the proponent.

More recently however, a need has been identified by both the Town of Cottesloe and the Shire of Peppermint Grove to develop a long term strategic vision and associated planning tools for the town centre to guide its redevelopment over time.

To that end, it is recommended that the Town collaborate with the Shire of Peppermint Grove in a joint effort to develop a Integrated Local Area Plan (ILAP) for the Town Centre Precinct, which would include relevant land east of Stirling Highway that forms part of the existing District Activity Centre, but which is within the Shire of Peppermint Grove.

### **STRATEGIC IMPLICATIONS**

This report is consistent with the Town's *Strategic Community Plan 2013 – 2023*.

Priority Area 4: Managing Development

### **POLICY IMPLICATIONS**

There are no perceived policy implications arising from the officer's recommendation.

### **STATUTORY ENVIRONMENT**

*Local Government Act 1995*

*Planning and Development Act 2005*

*Planning and Development (Local Planning Schemes) Regulations 2015*

State Planning Policy 7 Design of the Built Environment

Town of Cottesloe Local Planning Strategy (2008)

Station Street Cottesloe Place Making Strategy (2017)

Town of Cottesloe Town and Local Centre Design Guidelines (2014)

### **FINANCIAL IMPLICATIONS**

There are no perceived financial implications arising from the officer's recommendation, other than the costs associated with the statutory advertising of the proposal.

The development of an Integrated Local Area Plan would require the engaging of consultants, the cost of which is contained within the draft budget as presented to this meeting.

**STAFFING IMPLICATIONS**

There are no perceived staffing implications arising from the officer's recommendation.

**ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

There are no perceived sustainability implications arising from the officer's recommendation.

**CONSULTATION**

Consultation measures have included the following:

- )] A preliminary Council briefing was presented by Element in November 2018;
- )] An independent public community workshop was hosted by Element in March 2019;
- )] A preliminary meeting between Element and administration officers took place in April 2018; and
- )] A second Council briefing was provided by Element in April 2019.

If an Integrated Local Area Plan is to be developed, extensive consultation would form a part of that process. Officers would recommend that at least the initial consultation for the ILAP be completed prior to any further consideration of the proposed scheme amendment.

**OFFICER COMMENT**

Lots 7 and 11 Station Street represent two substantial landholdings, in common ownership, located in a prominent position in the Cottesloe Town Centre. The lots have a substantial frontage to Station Street and two frontages to De Nardi Lane to the south. Di Nardi Lane provides separation from the surrounding sites as well as vehicular access to tenancies along both Station Street and Napoleon Street.

The Cottesloe Town Centre itself forms part of a larger commercial node that includes the Cottesloe Central Shopping Centre and retail premises on the eastern side of Stirling Highway in the Shire of Peppermint Grove, together with the Shire's administration offices and library (refer to **attached**). The land within the boundaries of Cottesloe is zoned Town Centre Zone and has a density coding of R100.

The residual railway lands to the west of Cottesloe Town Centre between Curtin Avenue and Railway Street (Development Zone E) also represents a major consideration in any future development of the Cottesloe Town Centre, specifically in terms of east-west connectivity, transit-orientated development opportunities and the implementation of a targeted density approach.

Cottesloe Town Centre (and neighbouring vacant railway land) has been the subject of a number of studies, strategies and policies, including an Enquiry by Design exercise undertaken in 2009, the Town and Local Centre Design Guidelines Policy adopted by Council in 2014 and the more recent Station Street Cottesloe Place Making Strategy adopted by Council in May 2017. These strategic documents as well as LPS3 currently limit the redevelopment potential of lots within the Town Centre Zone to a maximum of 3 storeys (up to 11.5m) and a density of up to R100.

The proposal for a 10 storey (35m) redevelopment at a density of R-AC0 should therefore be classified as a complex scheme amendment under the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:

- a. The amendment is largely inconsistent with the Town of Cottesloe's Local Planning Strategy and related local planning policies subsequently adopted by Council;
- b. The amendment relates to development that will have a significant impact on the remainder of the Cottesloe Town Centre locality and will set the standard for redevelopment across the precinct; and
- c. The amendment is not a basic or standard amendment.

Additionally, there are a number of planning and development issues and considerations throughout Cottesloe Town Centre that require focussed attention, including pedestrian connectivity throughout, parking and vehicular access and movement, ownership, infrastructure provision, et cetera.

To that end, the officer have had initial discussions with our counterparts at the Shire of Peppermint Grove to see if the development of a ILAP for the Town Centre Precinct (refer to **attached Attachment (b)**) is possible. The LAP would include both local government town centre areas as well as having regard to the residual railway lands between Curtin Avenue and Railway Street.

An Integrated Local Area Planning (ILAP) approach will seek to provide a comprehensive planning and development framework, both spatially and temporally, through the application of best practice land use planning, landscape architecture and urban designing tools that positively shape the physical (natural and built), social and economic environments found within the local area.

The ILAP when complete will also include broader issues such as hard and soft infrastructure planning and service delivery.

Therefore, although the justification for the proposed amendment is considered to be sound and relevant, progression of the proposed amendment at this stage is considered to be premature in the absence of a larger strategic planning framework with which to guide the comprehensive and coordinated redevelopment of the Town Centre Precinct as a whole.

Once the Integrated Local Area Plan (ILAP) has been sufficiently progressed, the Town will be in a position to properly consider initiating the proposed amendment for advertising in line with the findings and recommendations of a draft Integrated Local Area Plan.

### **Conclusion**

There is a significant amount of major site redevelopment that may occur in the near future in Station Street, as well as across the remainder of the Cottesloe Town Centre. It is important to define a clear direction and controls in regard to built form for this precinct in general and these lots in particular, to ensure they are well-designed, that pedestrian connectivity is maintained and enhanced, that there is ground floor activation and vibrancy are achieved and that the needs of residents and local businesses are met.

### **VOTING REQUIREMENT**

Simple Majority

This item was considered immediately after item 11.1.

Mayor Angers left the meeting at 6:33pm.

The Deputy Mayor, Cr Rodda assumed the chair at 6:33pm.

#### **OFFICER RECOMMENDATION**

THAT Council:

1. Resolve to defer consideration of the proposed scheme amendment until such time as a local area plan for the Town Centre Precinct has been sufficiently progressed in order to guide and inform the comprehensive future redevelopment of the area.
2. Notify the Western Australian Planning Commission of Council's decision to defer the proposed scheme amendment to LPS3, and provide the Commission with a copy of the scheme amending documentation in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*.
3. Note the Administration's intention to commence the development of an Integrated Local Area Plan for the Town Centre Precinct in collaboration with the Shire of Peppermint Grove.

#### **COUNCILLOR MOTION AND COUNCIL RESOLUTION**

Moved Cr Young

Seconded Cr Harkins

That Council:

1. **Resolve to defer consideration for a period of up to six months to allow progress to be made on a local area plan for the Town of Cottesloe centre precinct, including community consultation, in order to guide an informed comprehensive future redevelopment of the area.**
2. **Notify the Western Australian Planning Commission of Council's decision to defer the proposed scheme amendment to LPS3, and provide the Commission with a copy of the scheme amending documentation in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*.**
3. **Note the Administration's intention to commence the development of an Integrated Local Area Plan for the Town Centre Precinct in collaboration with the Shire of Peppermint Grove.**

Carried 6/0

Mayor Angers returned to the meeting at 6:41pm.

The Mayor advised that Council would consider item 10.1.6 next.

**10.1.2 PROPOSED SCHEME AMENDMENT 10 TO LOCAL PLANNING SCHEME NO. 3 (ERIC STREET LOCAL CENTRE)**

**File Ref:** SUB/2798  
**Attachments:** 10.1.2(a) Proposed Scheme Amendment No. 10 - Eric Street Local Centre [under separate cover]  
 10.1.2(b) Schedule of Submissions Scheme Amendment No. 10 [under separate cover]  
**Responsible Officer:** Mat Humfrey, Chief Executive Officer  
**Author:** Jana Joubert, Coordinator Strategic Planning  
**Author Disclosure of Interest:** Nil

**SUMMARY**

At its meeting of 26 February 2019, Council resolved to initiate a standard scheme amendment (Scheme Amendment No. 10) to the Town of Cottesloe Local Planning Scheme No. 3 (LPS3). The purpose of the proposed amendment was to allow for the use of 'Medical Centre' on Lot 50 Eric Street, Cottesloe (Eric Street Local Centre) as an additional use.

The purpose of the amendment is to facilitate the diversification of the existing medical consulting facility in order to accommodate two additional medical practitioners.

Following the statutory advertising period, the Scheme Amendment No. 10 report (**attached at Attachment (a)**), which includes details of and the justification for the proposal, is now being returned to Council for adoption in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations).

**BACKGROUND**

In September 2018, Allerdig and Associates on behalf of M. Clinica presented to Council their intention to lodge a formal scheme amendment request to rezone Lot 50 Eric Street, Cottesloe, to accommodate an additional use of 'Medical Centre'.

M. Clinica subsequently engaged in consultation with tenants and other local businesses operating from the local centre. It is understood that the proposal for an additional two medical practitioners has received support, in particular from the pharmacy and Allied Health Professionals, who will benefit from the complementary activities associated with the proposed additional services.

At its Ordinary Council Meeting of 26 February 2019, it was resolved:

*THAT Council:*

1. *In accordance with the Planning and Development (Local Planning Schemes) Regulations 2015, resolve to initiate standard Scheme Amendment No. 8 to LPS3 by:*

*a. Amending Schedule 2 – Additional Uses as follows:*

<i>No.</i>	<i>Description of Land</i>	<i>Additional Use</i>	<i>Conditions</i>
<i>A.U.10</i>	<i>Lot 50 (No.36) Eric Street, Cottesloe.</i>	<i>Medical Centre</i>	<i>(a) Use and/or development of the site for additional uses shall be subject to planning</i>

			<p><i>approval.</i></p> <p><i>(b) The sum total of 'Medical Centre' use shall be restricted to 300m<sup>2</sup> Net Lettable Area (NLA).</i></p>
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- b. Modifying the scheme map by designating Additional Use No. 10 over Lot 50 Eric Street, Cottesloe, in accordance with the scheme amendment map.*
- 2. Resolve that the amendment is standard as the proposed use is consistent with the objectives of the zone to which it relates, in accordance with attached Form 2A.*
  - 3. Refer a copy of the proposed Scheme Amendment No 7 documentation to the Environmental Protection Authority, and any other relevant public authority, for consideration and comment.*
  - 4. Subject to formal assessment not being required by the Environmental Protection Authority and no objection received from the Western Australian Planning Commission, proceed to advertise proposed Scheme Amendment No 7 for public comment with a submission period of not less than 42 days in accordance with the Planning and Development Act 2005 and the Planning and Development (Local Planning Schemes) Regulations 2015.*
  - 5. Further consider the scheme amendment proposal together with any public submissions lodged with the Town of Cottesloe following the conclusion of the statutory public advertising period.*
  - 6. That the Administration explore the possibility of limiting the total amount of lettable area for medical uses during the advertising process.*
  - 7. Text of the proposed scheme amendment will be included in all advertisements including on the Town of Cottesloe website.*
  - 8. Report to Council will include all submissions and note whether or not the submissions are from Town of Cottesloe residents or ratepayers or other.*
  - 9. Submissions without a residential address will not be accepted.*

The proposal has undergone statutory advertising and the scheme amendment documentation, together with a schedule of submissions (attached at Attachment (b)) are now being returned to Council for final adoption.

### **STRATEGIC IMPLICATIONS**

This report is consistent with the Town's *Strategic Community Plan 2013 – 2023*.

Priority Area 4: Managing Development

Priority Area 5: Providing sustainable infrastructure and community amenities

### **POLICY IMPLICATIONS**

There are no perceived policy implications arising from the officer's recommendation.



**STATUTORY ENVIRONMENT**

*Planning and Development Act 2005*

*Planning and Development (Local Planning Schemes) Regulations 2015*

Local Planning Scheme No. 3

Town of Cottesloe Design Guidelines for Eric Street Local Centre

**FINANCIAL IMPLICATIONS**

There are no perceived financial implications arising from the officer's recommendation, other than the costs associated with the gazettal of the scheme amendment text.

**STAFFING IMPLICATIONS**

There are no perceived staffing implications arising from the officer's recommendation.

**ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

There are no perceived sustainability implications arising from the officer's recommendation.

**CONSULTATION**

Consultation measures have included:

- )] Private consultation conducted by M. Clinica with exiting tenants and business owners of the Eric Street Local Centre early December 2018;
- )] Referral of the scheme amendment documentation to the Environmental Protection Authority (EPA) prior to the commencement of public advertising. The EPA subsequently determined that the amendment will not be assessed under the Environmental Protection Act 1986 (EPA Act); and
- )] Public advertising of the proposal for a period of not less than 42 days from 13 April to 31 May 2019, including:
  - o letters sent to surrounding landowners and relevant public authorities;
  - o public notice of proposal published in locally circulated newspapers;
  - o public notice of the proposal posted on the Town of Cottesloe's website; and
  - o copies of the proposal and supporting information made available at the Town of Cottesloe's administration Centre as well as the Grove Library for inspection.

In total three (3) submissions were received, of which one was in support of the proposal (but raising concerns about parking) and two were objections. Concerns mostly related to existing and ongoing parking related issues at the Eric Street Local Centre.

One additional submission was received after the conclusion of the statutory advertising period and was recorded as a late submission.

A schedule of submissions is **attached** at Attachment (b) containing officer responses to each submission received.

**VOTING REQUIREMENT**

Simple Majority

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION**

Moved Cr Young

Seconded Cr Harkins

**THAT Council:**

1. In accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*, resolve to adopt standard Scheme Amendment No. 10 to LPS3 by:
  - a. Amending Schedule 2 – Additional Uses as follows:

No.	Description of Land	Additional Use	Conditions
A.U.10	Lot 50 (No.36) Eric Street, Cottesloe.	Medical Centre	(a) Use and/or development of the site for additional uses shall be subject to planning approval.  (b) The sum total of 'Medical Centre' use shall be restricted to 300m <sup>2</sup> Net Lettable Area (NLA).

- b. Modifying the scheme map by designating Additional Use No. 10 over Lot 50 Eric Street, Cottesloe, in accordance with the scheme amendment map.
2. Confirm that the amendment is a standard amendment in light of submissions received and consistent with the reasons as previously stipulated in attached Form 2A.
3. Refer a copy of the proposed Scheme Amendment No 10 documentation together with a copy of Council's resolution to the Western Australian Planning Commission for approval in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*.
4. Notify the applicant, landowners and submitters of Council's decision.

Carried 7/0

**10.1.3 PLANNING APPLICATIONS DETERMINED UNDER DELEGATION**

**File Ref:** SUB/2798  
**Applicant(s) Proponents:** Nil  
**Attachments:** 10.1.3(a) Open Development Applications List - June 2019  
[under separate cover]  
**Responsible Officer:** Mat Humfrey, Chief Executive Officer  
**Author:** Ed Drewett, Coordinator Statutory Planning  
**Author Disclosure of Interest:** Nil

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**SUMMARY**

This report provides details of the planning applications determined by officers acting under delegation, for the month of May 2019.

**BACKGROUND**

Pursuant to Local Planning Scheme No. 3, Council has delegated its power to determine certain planning applications to the Chief Executive Officer and the Coordinator, Statutory Planning. This provides efficiency in processing applications, which occurs on a continual basis.

Following interest expressed from within Council, this report serves as a running record of those applications determined during each month.

**STRATEGIC IMPLICATIONS**

There are no perceived strategic implications arising from the officer's recommendation.

**POLICY IMPLICATIONS**

There are no perceived policy implications arising from the officer's recommendation.

**FINANCIAL IMPLICATIONS**

There are no perceived financial implications arising from the officer's recommendation.

**STAFFING IMPLICATIONS**

There are no perceived staffing implications arising from the officer's recommendation.

**CONSULTATION**

Nil

**OFFICER COMMENT**

During May 2019 the following planning applications were determined under delegation:

Address	Owner	Applicant	Description	Delegation Notice	Date Determined
40 Jarrad Street	Dylan Investment 2017 Pty Ltd & Rebhope Investments Pty Ltd	Matthew Crawford Architects Pty Ltd	Lightweight steel roofed structure over forecourt	23/04/2019	06/05/2019
13 Andrews Place	O & M Watson	D Bester	Two storey dwelling	03/05/2019	22/05/2019
25 Hawkstone Street	E D & A K Lane	G McCann Architects	Porch, rear addition & alfresco areas	03/05/2019	23/05/2019
2 Broome Street	G & A Hesford	Resolve Group Pty Ltd	Carport	03/05/2019	23/05/2019
73 Napier Street	M & D Goldthorpe	Great Aussie Patios	Carport	03/05/2019	23/05/2019
34 Napoleon Street	Bonaparte Property Pty Ltd & Napoleon Property Pty Ltd	Focus on Signs	Signage	03/05/2019	23/05/2019

Please note that Council will be provided with an up to date list of all outstanding Development Applications with the Council Agenda.

#### **VOTING REQUIREMENT**

Simple Majority

#### **OFFICER RECOMMENDATION AND COUNCIL RESOLUTION**

**Moved Cr Rodda**

**Seconded Cr Sadler**

**THAT Council receive this report on the planning applications determined under delegation for the month of May 2019.**

**Carried 7/0**

**ADMINISTRATION****10.1.4 MCNAMARA WAY - PROPOSED PARKING RESTRICTIONS**

**File Ref:** SUB/2798  
**Attachments:** 10.1.4(a) McNamara Way - Proposed Location for Parking Restrictions [under separate cover]  
**Responsible Officer:** Mat Humfrey, Chief Executive Officer  
**Author:** Freya Ayliffe, Manager Compliance and Regulatory Services  
**Author Disclosure of Interest:** nil

Mayor Angers declared an **IMPARTIALITY INTEREST** in item 10.1.4 by virtue "he knows someone at the North end of McNamara Way."

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**SUMMARY**

Council will be asked to consider approving parking restrictions, preventing vehicles from parking in McNamara Way (approximately five metres in length) between the hours of 5pm Sunday to 5pm Monday to allow waste collection to occur safely.

**BACKGROUND**

The Town is in receipt of complaints from residents adjoining McNamara Way. The complaints relate to the lack of a dedicated area in the laneway for waste collection to safely occur.

McNamara Way currently allows for parking along both sides of the laneway, with bins being placed in the laneway, in parking bays, along the boundary wall for collection. Waste collection occurs every Monday. This creates issues as cars are often parked in the area where the bins are collected from which results in;

- The bins not being collected and;
- Potential for cars being damaged by the waste vehicles attempting to collect and empty the bins.

**STRATEGIC IMPLICATIONS**

This report is consistent with the Town's *Strategic Community Plan 2013 – 2023*.

Priority Area 1: Protecting and enhancing the wellbeing of residents and visitors

**POLICY IMPLICATIONS**

There are no perceived policy implications arising from the officer's recommendation.

**STATUTORY ENVIRONMENT**

*Local Government Act 1995*

*The Town's Parking and Parking Facilities Local Law 2009*

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**FINANCIAL IMPLICATIONS**

Resource requirements are in accordance with the existing budgetary allocation. The supply and installation of signage will cost approximately \$400.

**STAFFING IMPLICATIONS**

There are no perceived staffing implications arising from the officer's recommendation.

**ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

There are no perceived sustainability implications arising from the officer's recommendation.

**CONSULTATION**

Elected Members

Manager of Engineering Services

Strata Manager for Cottesloe Heights (affected residents)

**OFFICER COMMENT**

The residents of Cottesloe Heights have requested the proposed parking restrictions be implemented to allow for waste to be collected weekly without the risk of vehicles parked in the laneway being damaged and the waste not being collected due to bins not being accessible creating a potential health risk.

The wording on the signs shall read '*No Parking from 5pm Sunday to 5pm Monday*'.

The proposed signage will be attached to existing infrastructure where possible to avoid impacting street amenity; an additional sign pole can be installed, if required. The signs will be located within the laneway adjacent to the location waste is currently being collected from. The area will be monitored by the Town's Rangers and appropriate action taken (if required) as per the *Town of Cottesloe Parking and Parking Facilities Local Law*.

Similar parking restrictions are already in place in Greenham Street.

**VOTING REQUIREMENT**

Simple Majority

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION**

Moved Cr Rodda

Seconded Cr Sadler

**THAT Council APPROVE parking restrictions in McNamara Way (approximately five metres in length) preventing vehicles from parking between the hours of 5pm Sunday to 5pm Monday.**

Carried 7/0

**10.1.5 REVIEW OF PURCHASING AUTHORITY LIMITS POLICY**

<b>File Ref:</b>	<b>SUB/2798</b>
<b>Attachments:</b>	<b>10.1.5(a) Draft Purchasing Authority Limits Policy [under separate cover]</b>
<b>Responsible Officer:</b>	<b>Mat Humfrey, Chief Executive Officer</b>
<b>Author:</b>	<b>Garry Bird, Deputy Chief Executive Officer</b>
<b>Author Disclosure of Interest:</b>	<b>Nil</b>

**SUMMARY**

To consider amendments to the Town of Cottesloe Purchasing Authority Limits Policy adopted by Council in December 2018.

**BACKGROUND**

The Purchasing Authority Limits Policy prescribes the monetary limits that an officer can issue purchase orders for.

As a result of a recent organisational restructure in the Engineering Department undertaken in May 2019, some of the purchasing limits imposed by the Policy are no longer relevant due to changes in job titles and new positions being created.

Minor amendments to the limits prescribed for some positions have been made as per the following table:

<b>Position</b>	<b>Existing Policy</b>	<b>Draft Policy</b>
Works Supervisor (now Works Manager)	\$5,000	\$20,000
Governance Coordinator	\$2,000	\$500
Assistant Works Supervisor (now Assistant Works Manager)	\$500	\$5,000
Events Coordinator	\$500	\$5,000
Building Maintenance Officer (now Coordinator Building and Conservation Projects)	\$500	\$500
Sustainability Officer (now Coordinator Environmental Projects)	\$500	\$500
Works Coordinator – Civil and Verge Operations (new position)	\$0	\$500

**STRATEGIC IMPLICATIONS**

This report is consistent with the Town's *Strategic Community Plan 2013 – 2023*.

Priority Area 6: Providing open and accountable local governance

Major Strategy 6.2: Continue to deliver high quality governance, administration, resource management and professional development.

**POLICY IMPLICATIONS**

Town of Cottesloe Purchasing Policy provides direction for staff on procurement methods based on their authority level and estimated cost.

**STATUTORY ENVIRONMENT**

*Local Government Act 1995*

**FINANCIAL IMPLICATIONS**

There are no perceived financial implications arising from the officer's recommendation.

**STAFFING IMPLICATIONS**

There are no perceived staffing implications arising from the officer's recommendation.

**ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

There are no perceived sustainability implications arising from the officer's recommendation.

**CONSULTATION**

Elected Members

Due to the administrative nature of the Policy, it is not recommended to be advertised for public comment.

**OFFICER COMMENT**

Nil

**VOTING REQUIREMENT**

Simple Majority

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION**

Moved Cr Rodda

Seconded Cr Sadler

**That Council ADOPT the Purchasing Authority Limits Policy as attached.**

**Carried 6/1**

**For: Mayor Angers, Crs Rodda, Tucak, Sadler, Young and Harkins**

**Against: Cr Pyvis**



## ENGINEERING

## 10.1.6 PROPOSED ROAD CLOSURE - HAWKSTONE STREET AND HAMERSLEY STREET BEND

File Ref:	SUB/2798
Attachments:	10.1.6(a) Summary of Submissions - Directly Impacted Residents - Proposed Road Closure [under separate cover]
	10.1.6(b) Summary of Submissions - Cottesloe Wide Consultation - Proposed Road Closure [under separate cover]
	10.1.6(c) Submissions - Service Providers - Proposed Road Closure [under separate cover]
Responsible Officer:	Shaun Kan, Manager, Engineering Services
Author:	David Lappan, Engineering Technical Officer
Author Disclosure of Interest:	Nil

## SUMMARY

Council is asked to consider the closure of the Hawkstone Street and Hamersley Street bend to improve vehicle, cyclist and pedestrian safety and to provide future opportunities to improve public open space and connectivity between reserves.

Approval is required for the Administration to commence the road closure process within the *Land Administration Act 1997*.

## BACKGROUND

42 of the 61 affected residents along Hawkstone Street and Hamersley Street between Broome Street and Eric Street that responded to an initial survey in February 2019 were supportive of the proposed road closure as provided below.



At the March 2019 Ordinary Council Meeting, Council resolved to commence the *Land Administration Act 1997* Road Closure Process. This was advertised in April 2019, consulting with the entire Cottesloe local district and various Public Utilities Services Providers as required by legislation.

### STRATEGIC IMPLICATIONS

This report is consistent with the Town's *Strategic Community Plan 2013 – 2023*.

Priority Area 1: Protecting and enhancing the wellbeing of residents and visitors

Major Strategy 1.1: Develop an 'integrated transport strategy' that includes cycling, park and ride, Cott Cat, public transport and parking management strategies to meet the needs of pedestrians, cyclists and other non-vehicular traffic.

This report is consistent with the Town's *Corporate Business Plan 2017 – 2021*.

Priority Area 1: Protect and enhance the wellbeing of residents and visitors.

Major Strategy 1.4: Continue to improve community engagement.

### POLICY IMPLICATIONS

#### Community Consultation Policy

Consultation was undertaken in accordance with the Community Consultation Policy with both site specific and broad consultation done.

### STATUTORY ENVIRONMENT

*Local Government Act 1995*

Section 3.51 specifies who has an interest relating to certain matters and provides how affected owners are to be notified of certain proposals.

#### **3.51. Affected owners to be notified of certain proposals**

(1) *In this section —*

**person having an interest**, *in relation to doing anything, means a person who —*

(a) *is the owner of the land in respect of which that thing is done, or any land that is likely to be adversely affected by doing that thing; or*

(b) *is shown on the title to any of the land mentioned in paragraph (a) as holding an interest in any of that land; or*

(c) *is prescribed for the purposes of this section.*

(2) *This section applies to —*

(a) *fixing or altering the level of, or the alignment of, a public thoroughfare;*  
*or*

(b) *draining water from a public thoroughfare or other public place onto adjoining land.*

- 
- (3) *Before doing anything to which this section applies, a local government is to —*
    - (a) *give notice of what is proposed to be done giving details of the proposal and inviting submissions from any person who wishes to make a submission; and*
    - (b) *allow a reasonable time for submissions to be made and consider any submissions made.*
  - (4) *The notice is to be given —*
    - (a) *in writing to each person having an interest; and*
    - (b) *if any land is likely to be adversely affected by the doing of the thing, by local public notice.*

*Local Government (Functions and Regulations) 1996*

Part 2 – Thoroughfares, regulation 4, prescribes who is to be notified of road closures.

**4. Persons prescribed to be notified of road closure (Act s. 3.50)**

- (1) *The persons prescribed for the purposes of section 3.50 of the Act are —*
  - (a) *any person providing a service by means of pipes, cables, or anything else under, on, or above the land used for the thoroughfare whose access for purposes connected with the provision of that service would be impeded by the proposed closure; and*
  - (b) *the person having principal responsibility in the locality for ambulance services; and*
  - (c) *the person having principal responsibility in the locality for fire services; and*
  - (d) *the occupier of land that will lose its access.*
- (2) *The land that is prescribed for the purposes of section 3.50 of the Act is land that will lose its access.*
- (3) *In this regulation —*  
***land that will lose its access*** *means land that abuts the thoroughfare at any point to which access would be precluded as a result of the closure.*

*Land Administration Act 1997*

Section 58 specifies the process to close a road and the how to inform the Minister of the proposal.

**58. Closing roads**

- (1) *When a local government wishes a road in its district to be closed permanently, the local government may, subject to subsection (3), request the Minister to close the road.*
- (2) *When a local government resolves to make a request under subsection (1), the local government must in accordance with the regulations prepare and deliver the request to the Minister.*

- (3) *A local government must not resolve to make a request under subsection (1) until a period of 35 days has elapsed from the publication in a newspaper circulating in its district of notice of motion for that resolution, and the local government has considered any objections made to it within that period concerning the proposals set out in that notice.*
- (4) *On receiving a request delivered to him or her under subsection (2), the Minister may, if he or she is satisfied that the relevant local government has complied with the requirements of subsections (2) and (3) —*
  - (a) *by order grant the request; or*
  - (b) *direct the relevant local government to reconsider the request, having regard to such matters as he or she thinks fit to mention in that direction; or*
  - (c) *refuse the request.*
- (5) *If the Minister grants a request under subsection (4) —*
  - (a) *the road concerned is closed on and from the day on which the relevant order is registered; and*
  - (b) *any rights suspended under section 55(3)(a) cease to be so suspended.*
- (6) *When a road is closed under this section, the land comprising the former road —*
  - (a) *becomes unallocated Crown land; or*
  - (b) *if a lease continues to subsist in that land by virtue of section 57(2), remains Crown land.*

*Land Administration Regulations 1998*

Part 2 – General, regulation 9, specifies the requirements for local governments to permanently close roads.

**9. *Local government request to close road permanently (Act s. 58(2)), requirements for***

*For the purposes of preparing and delivering under section 58(2) of the Act a request to the Minister to close a road permanently, a local government must include with the request —*

- (a) *written confirmation that the local government has resolved to make the request, details of the date when the relevant resolution was passed and any other information relating to that resolution that the Minister may require; and*
- (b) *sketch plans showing the location of the road and the proposed future disposition of the land comprising the road after it has been closed; and*
- (c) *copies of any submissions relating to the request that, after complying with the requirement to publish the relevant notice of motion under section 58(3) of the Act, the local government has received, and the local government's comments on those submissions; and*

- (d) *a copy of the relevant notice of motion referred to in paragraph (c); and*
- (e) *any other information the local government considers relevant to the Minister's consideration of the request; and*
- (f) *written confirmation that the local government has complied with section 58(2) and (3) of the Act.*

### **FINANCIAL IMPLICATIONS**

A budget amendment would be required for the landscaping and associated road closure infrastructure. This request will be made to Council following the development of a costed concept.

### **STAFFING IMPLICATIONS**

There are no perceived staffing implications arising from the officer's recommendation.

### **ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

There are no perceived sustainability implications arising from the officer's recommendation.

### **CONSULTATION**

Town of Cottesloe Staff

Letters were sent to Hammersley Street and Hawkstone Street Residents (directly impacted residents) inviting feedback. The submission period closed on 21 December 2018. Submissions received were provided to Elected Members for consideration at the March 2019 Ordinary Council Meeting. An email was sent to the previous respondents advising that their feedback would be taken into consideration as part of district wide consultation and that additional submissions could also be provided.

In accordance with section 58 of the *Land Administration Act 1997*, local public notice was given of the proposed amendment in the Western Suburbs Weekly and the Post Newspaper in April 2019. Public notices were also placed at the Cottesloe Civic Centre and Grove Library, sent to the Residents and Ratepayers database and placed on the Town's website. Information was also included on the Town's Facebook page. A further twenty submissions were received from the Cottesloe wide consultation.

A summary of the submissions received from directly impacted residents and Cottesloe wide consultation is attached.

Letters were sent to relevant service providers advising of the proposed road closure. Telstra, ATCO Gas Australia and Western Power provided feedback which is attached.

### **OFFICER COMMENT**

An overview of the submission received is as follows:

Stakeholder Catchment	Directly impacted residents	Cottesloe wide community	TOTAL
Support	42	16	58
Oppose	14	4	18
Undecided	2	0	2

All utility providers consulted have no objections subject to current infrastructure remaining in place, otherwise an easement would need to be created over crown land and services relocated at the cost of the Town.

Given that 70 percent of the submissions support of the proposal, the recommendation would be for Council to consider the feedback received and support the proposed road closure. This resolution can then be submitted through the Department of Planning, Lands and Heritage for Ministerial for consideration.

### VOTING REQUIREMENT

Simple Majority

This item was considered immediately after item 10.1.1.

### OFFICER RECOMMENDATION

**Moved Cr Sadler**

**Seconded Cr Harkins**

That Council

1. SUPPORT the closure of Hawkstone Street and Hamersley Street bend as shown in the diagram above; and
2. SUBMIT a request to the Department of Planning, Lands and Heritage for the Minister for Lands approval for the proposed closure.

### COUNCILLOR AMENDMENT

**Moved Cr Young**

**Seconded Cr Rodda**

**In point 1, add the word 'indicatively' after the word 'shown' and at the end of point 1 add the words ', with the final detailed plans for the road closure and use of the area including the part to be closed to be referred to the Reserves Parks and Playgrounds Committee and the Art Advisory Panel and then brought back to Council for further consideration; and'.**

**Carried 6/1**

**For: Mayor Angers, Crs Rodda, Tucak, Sadler, Young and Harkins**

**Against: Cr Pyvis**

**SUBSTANTIVE MOTION AND COUNCIL RESOLUTION****That Council**

- 1. SUPPORT the closure of Hawkstone Street and Hamersley Street bend as shown indicatively in the diagram above, with the final detailed plans for the road closure and use of the area including the part to be closed to be referred to the Reserves Parks and Playgrounds Committee and the Art Advisory Panel and then brought back to Council for further consideration; and**
- 2. SUBMIT a request to the Department of Planning, Lands and Heritage for the Minister for Lands approval for the proposed closure.**

**Carried 7/0**

The Mayor advised that Council would now return to the items as listed in the agenda (commencing with item 10.1.2).

**FINANCE****10.1.7 FINANCIAL STATEMENTS FOR THE PERIOD 1 JULY 2018 TO 31 MAY 2019**

**File Ref:** SUB/2798  
**Attachments:** 10.1.7(a) Financial Statements For The Period 1 July 2019 to 31 May 2019 [under separate cover]  
**Responsible Officer:** Mat Humfrey, Chief Executive Officer  
**Author:** Wayne Richards, Finance Manager  
**Author Disclosure of Interest:** Nil

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**SUMMARY**

It is a requirement of the *Local Government Act 1995* that monthly and quarterly financial statements are presented to Council, in order to allow for proper control of the Town's finances and ensure that income and expenditure are compared to budget forecasts.

The attached financial statements and supporting information are presented for the consideration of Elected Members. Council staff welcomes enquiries in regard to the information contained within these reports.

**BACKGROUND**

In order to prepare the attached financial statements, the following reconciliations and financial procedures have been completed and verified:

- )] Reconciliation of all bank accounts.
- )] Reconciliation of rates and source valuations.
- )] Reconciliation of assets and liabilities.
- )] Reconciliation of payroll and taxation.
- )] Reconciliation of accounts payable and accounts receivable ledgers.
- )] Allocations of costs from administration, public works overheads and plant operations.
- )] Reconciliation of loans and investments.

**STRATEGIC IMPLICATIONS**

This report is consistent with the Town's *Strategic Community Plan 2013 – 2023*.

Priority Area 6: Providing open and accountable local governance

Major Strategy 6.2: Continue to deliver high quality governance, administration, resource management and professional development.

**POLICY IMPLICATIONS**

There are no perceived policy implications arising from the officer's recommendation.



**STATUTORY ENVIRONMENT**

*Local Government Act 1995*

*Local Government (Financial Management) Regulations 1996*

**FINANCIAL IMPLICATIONS**

Resource requirements are in accordance with the existing budgetary allocation.

There are no perceived financial implications arising from the officer's recommendation.

**STAFFING IMPLICATIONS**

There are no perceived staffing implications arising from the officer's recommendation.

**ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

There are no perceived sustainability implications arising from the officer's recommendation.

**CONSULTATION**

Senior staff

**OFFICER COMMENT**

The following comments and/or statements provide a brief summary of major financial/budget indicators and are included to assist in the interpretation and understanding of the attached Financial Statements.

- )] The net current funding position as at 31 May 2019 was \$650,461 and is less than in previous years as transfers from reserves for the foreshore works have not yet been processed.
- )] Rates and emergency services levies receivables at 31 May 2019 stood at \$422,268 as shown on pages 2 and 26 of the attached Financial Statements.
- )] Operating revenue is more than revised year to date budget by \$354,328 with a more detailed explanation of material variances provided on pages 21 and 22 of the attached Financial Statements. Operating expenditure is \$697,680 less than revised year to date budget with a more detailed analysis of material variances provided on pages 21 and 22.
- )] The Capital Works Program is approximately 46% complete as at 31 May 2019 and a full capital works program listing is shown on pages 34 to 37.
- )] Whilst Salaries and Wages are not reported specifically, they do represent the majority proportion of Employee Costs which are listed on the Statement of Financial Activity (By Nature and Type) on page 7 of the attached Statements. As at 31 May 2019 Employee Costs were \$108,545 less than the revised budgeted year to date amount.
- )] The balance of cash backed reserves was \$12,341,585 as at 31 May 2019 as shown in note 7 on page 28 of the monthly financial statements.

**List of Accounts for May 2019**

The List of Accounts paid during May 2019 is shown on pages 38 to 46 of the attached Financial Statements. The following significant payments are brought to Council's attention:

- )] \$151,290.56 to Environmental Industries for works at the foreshore.
- )] \$111,316.92 & \$63,628.32 to Rico Enterprises P/L T/A Solo Resources for waste removal services.
- )] \$83,248.00 & \$43,353.25 to SMC Marine Pty Ltd for works on the pylon.
- )] \$114,236.67, \$108,843.69 & \$109,794.67 to the Town of Cottesloe staff for fortnightly payroll.
- )] \$60,000.00 & \$875,000.00 to the Town of Cottesloe Investment account held with National Australia Bank.
- )] \$551,024.00 to Commonwealth Bank being a new term deposit.
- )] \$2,016,230.75 to Bankwest to reinvest funds matured by the bank in error.

**Investments and Loans**

Cash and investments are shown in note 4 on page 24 of the attached Financial Statements. Council has approximately 45% of funds invested with National Australia Bank, 25% with Bankwest, 18% with Commonwealth Bank of Australia and 12% with Westpac Banking Corporation. Council had a balance of \$12,341,586 in reserve funds as at 31 May 2019.

Information on borrowings is shown in note 10 on page 31 of the attached Financial Statements and shows Council had total principal outstanding of \$3,744,012 as at 31 May 2019. The final payment for loan number 106 which was taken out in 2009 for the refurbishment of the Civic Centre was made in May 2019.

**Rates, Sundry Debtors and Other Receivables**

Rates revenue information is shown in note 9 on page 30 of the attached Financial Statements. Rates outstanding are shown on note 6 on page 26 and show a balance of \$414,252 as compared to \$418,163 this time last year.

Sundry debtors are shown on note 6, page 26 of the attached Financial Statements. The sundry debtors show that 54% or \$30,241 is older than 90 days. Infringement debtors are shown on note 6 page 27 and stood at \$432,822 as at 31 May 2019.

**Budget Amendments**

The budget amendments are listed on pages 12, 13 and 25 of the Financial Statements

**VOTING REQUIREMENT**

Simple Majority

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION**

Moved Cr Harkins

Seconded Cr Rodda

**THAT Council RECEIVE the Financial Statements for the period 1 July 2018 to 31 May 2019 as submitted to the 25 June 2019 meeting of Council.**

**Carried 6/1**

**For: Mayor Angers, Crs Rodda, Tucak, Sadler, Young and Harkins**

**Against: Cr Pyvis**

**10.1.8 SUNDRY DEBTOR BAD DEBT WRITE OFF**

**File Ref:** SUB/2798  
**Attachments:** Nil  
**Responsible Officer:** Mat Humfrey, Chief Executive Officer  
**Author:** Garry Bird, Deputy Chief Executive Officer  
**Author Disclosure of Interest:** Nil

**SUMMARY**

A recommendation is made to write off \$3,286.50 of bad debts.

**BACKGROUND**

The debts recommended for write off are summarised as follows:

<b>Amount (as at 12 March 2019)</b>	<b>Description</b>	<b>Comment</b>
\$244.70	Food Premises Risk Assessment Fee	Sent to debt recovery but suggest to write off as too costly to go legal.
\$3,041.80	Waste Collection and Food Premises Risk Assessment Fee	Sent to debt recovery and sitting on judgement which will stay active at court for 12 years. Company's credit rating has been affected. However, the Town's chances of recovery are limited.

**STRATEGIC IMPLICATIONS**

This report is consistent with the Town's *Strategic Community Plan 2013 – 2023*.

Priority Area 6: Providing open and accountable local governance

Major Strategy 6.2: Continue to deliver high quality governance, administration, resource management and professional development.

**POLICY IMPLICATIONS**

There are no perceived policy implications arising from the officer's recommendation.

**STATUTORY ENVIRONMENT**

*Local Government Act 1995*

**6.12 Power to defer, grant discounts, waive or write off debts**

- (1) *Subject to subsection (2) and any other written law, a local government may -*
- (a) *when adopting the annual budget, grant\* a discount or other incentive for the early payment of any amount of money; or*
  - (b) *wave or grant concessions in relation to any amount of money; or*

(c) *write off any amount of money, which is owed to the local government.*

*\* Absolute majority required.*

(2) *Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.*

(3) *The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.*

### **FINANCIAL IMPLICATIONS**

The total value of the debts to be written off is \$3,286.50 as at 12 June 2019. Interest continues to accrue on some of the above debts. This amount is not considered as significant in the context of the overall Budget.

### **STAFFING IMPLICATIONS**

There are no perceived staffing implications arising from the officer's recommendation.

### **ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

There are no perceived sustainability implications arising from the officer's recommendation.

### **CONSULTATION**

Nil

### **OFFICER COMMENT**

The debts are being recommended for write off as it is highly unlikely that they will be able to be recovered. Having such debts shown on the Town's financial records after it is known that they will not be recovered is not in keeping with accounting standards.

### **VOTING REQUIREMENT**

Simple Majority

### **OFFICER RECOMMENDATION AND COUNCIL RESOLUTION**

Moved Cr Young

Seconded Cr Rodda

**THAT Council write off the debts as presented, representing a total of \$3,286.50 as at 12 June 2019.**

**Carried 6/1**

**For: Mayor Angers, Crs Rodda, Tucak, Sadler, Young and Harkins**

**Against: Cr Pyvis**

**10.1.9 ADOPTION OF THE 2019/20 BUDGET**

<b>File Ref:</b>	<b>SUB/2798</b>
<b>Applicant(s) Proponents:</b>	<b>Nil</b>
<b>Attachments:</b>	<b>10.1.9(a) Draft Budget 2019/20 [under separate cover]</b> <b>10.1.9(b) Submissions - Differential Rates [under separate cover]</b>
<b>Responsible Officer:</b>	<b>Mat Humfrey, Chief Executive Officer</b>
<b>Author:</b>	<b>Garry Bird, Deputy Chief Executive Officer</b>
<b>Author Disclosure of Interest:</b>	<b>Nil</b>

Cr Young declared an **IMPARTIALITY INTEREST** in item 10.1.9 by virtue "the budget makes provision for projects to North Cottesloe Primary school and she is a former member of the community at that school."

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**SUMMARY**

The 2019/20 Budget is attached for the consideration of Elected Members and adoption.

**BACKGROUND**

Council is required under the *Local Government Act 1995* to adopt a budget for each financial year.

The budget cannot be adopted before 1 June in the financial year immediately prior to the year it applies and must be adopted before 31 August in the year it applies to. The budget must be in the prescribed format and set expenditure levels and type for the year.

The budget must also contain a forecast of all income and set the rate in the dollar for the rates levied in the financial year it applies to.

**STRATEGIC IMPLICATIONS**

This report is consistent with the Town's *Strategic Community Plan 2013 – 2023*.

Priority Area 6: Providing open and accountable local governance

Major Strategy 6.2: Continue to deliver high quality governance, administration, resource management and professional development.

The budget sets out how funds will be allocated to all projects during the financial year, including all strategic projects.

The annual budget contains funding for a number of strategic objectives of the Town

**POLICY IMPLICATIONS**

There are no perceived policy implications arising from the officer's recommendation.

**STATUTORY ENVIRONMENT**

*Local Government Act 1995*

Division 2 – Annual Budget, section 6.2, provides for the preparation of the annual budget.

**6.2. Local government to prepare annual budget**

- (1) *During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt\*, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.*

*\* Absolute majority required.*

- (2) *In the preparation of the annual budget the local government is to have regard to the contents of the plan for the future of the district made in accordance with section 5.56 and to prepare a detailed estimate for the current year of —*
- (a) the expenditure by the local government; and*
  - (b) the revenue and income, independent of general rates, of the local government; and*
  - (c) the amount required to make up the deficiency, if any, shown by comparing the estimated expenditure with the estimated revenue and income.*
- (3) *For the purposes of subsections (2)(a) and (b) all expenditure, revenue and income of the local government is to be taken into account unless otherwise prescribed.*
- (4) *The annual budget is to incorporate —*
- (a) particulars of the estimated expenditure proposed to be incurred by the local government; and*
  - (b) detailed information relating to the rates and service charges which will apply to land within the district including —*
    - (i) the amount it is estimated will be yielded by the general rate; and*
    - (ii) the rate of interest (if any) to be charged by the local government on unpaid rates and service charges;*
  - and*
  - (c) the fees and charges proposed to be imposed by the local government; and*
  - (d) the particulars of borrowings and other financial accommodation proposed to be entered into by the local government; and*
  - (e) details of the amounts to be set aside in, or used from, reserve accounts and of the purpose for which they are to be set aside or used; and*
  - (f) particulars of proposed land transactions and trading undertakings (as those terms are defined in and for the purpose of section 3.59) of the local government; and*
  - (g) such other matters as are prescribed.*
- (5) *Regulations may provide for —*
- (a) the form of the annual budget; and*
  - (b) the contents of the annual budget; and*
-

(c) the information to be contained in or to accompany the annual budget.

#### *Local Government (Financial Management) Regulations 1996*

Regulations 22 to 33 of the *Local Government (Financial Management) Regulations 1996* contain the requirements for the form of the budget document and the information to be contained within it.

#### **FINANCIAL IMPLICATIONS**

The budget allocates the Town's financial resources for the financial year ending 30 June 2020.

#### **STAFFING IMPLICATIONS**

All associated staffing costs are contained within the draft 2019/20 Budget.

#### **ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

The Town has several sustainability projects and programs contained within the budget.

#### **CONSULTATION**

As Council raises a differential rate, it is required to advertise its intention to do so.

At the Ordinary Council Meeting held 30 April 2019 it was resolved:

*THAT Council advertise its intention to raise the following differential general rates and minimum rates for the 2019/2020 financial year:*

<i>Differential Rate Category</i>	<i>Rate in the \$</i>	<i>Min Rate</i>
<i>Differential General Rate (GRV)</i>	<i>0.063984</i>	<i>\$1,161.00</i>
<i>Differential Rate – Town Centre Commercial (GRV)</i>	<i>0.074260</i>	<i>\$1,161.00</i>

Advertisements and public notices were placed as required and three submissions were received as attached. In summary the three submissions did not support the proposed rates increase for the following reasons:

- ⌋ Significant increase above the CPI
- ⌋ Property values have not increased that much
- ⌋ Value of services received has not increased by 3.50%
- ⌋ Increase of this size not in keeping with current economic climate
- ⌋ Represents a further burden on property owners after recent State land tax increases

In addition, the Town also advertised the community grants program and sent letters to community and sporting groups requesting submissions.

#### **Council Workshops**

There have been three Council workshops to directly discuss formulating the budget. These workshops provided Elected Members with an opportunity to ask questions and provide direction to staff on the draft budget and its various components.



**OFFICER COMMENT**

The Town is generally in a strong financial position, having healthy reserves and operating at a very high level of operational efficiency.

Council has a long standing issue with its financial position in that an operating loss is incurred each year. For 2019/20 this loss will be \$812,161 compared to a loss of \$1,254,404 budgeted for in 2018/19.

It should be noted that an “operating loss” is an accounting term and is different from a “deficit” which is often used to describe government budgets. The Town does record surpluses each year, however the cost of depreciation causes the Town to record an operating loss. While no immediate consequence of this will be felt, the long term impact is that the Town is not spending enough on its assets (or charging enough in rates to cover the costs of maintaining assets) which will cause infrastructure issues in the longer term. By implementing small and incremental increases now, the long term issues can be mitigated. The Draft Long Term Financial Plan shows this situation in improving over the life of the Plan to a small operating profit being returned.

The Draft Budget Papers attached have been prepared based on a recommended increase of 3.50% for most rateable properties within the Town.

**VOTING REQUIREMENT**

Absolute Majority

**OFFICER RECOMMENDATION**

**Moved Cr Rodda**

**Seconded Cr Sadler**

That Council by absolute majority, ADOPT the Budget for the year ended 30 June 2020, as attached.

**COUNCILLOR AMENDMENT**

**Moved Cr Harkins**

**Seconded Cr Tucak**

**Add the words ‘and amended as follows’ to the end of the recommendation and add the following two points:**

- 1. Increase the capital works allocation for playground construction from \$250,000 (fully funded from municipal funds) by \$153,000 to \$403,000 with this new project cost of \$153,000 to be funded from the POS Reserve subject to all necessary approvals being obtained to access these funds contributed by the developer of the old depot site.**
- 2. Increase the capital works allocation to the Vlamingh Memorial Naturescape Park from \$10,000 to \$50,000, with the increase of \$40,000 to be funded from the municipal fund for playground construction projects subject to conditional approval of the funds outlined in point 1 above.**

**Carried 7/0**

**SUBSTANTIVE MOTION AND COUNCIL RESOLUTION**

That Council by absolute majority, **ADOPT** the Budget for the year ended 30 June 2020 as attached and amended as follows;

1. Increase the capital works allocation for playground construction from \$250,000 (fully funded from municipal funds) by \$153,000 to \$403,000 with this new project cost of \$153,000 to be funded from the POS Reserve subject to all necessary approvals being obtained to access these funds contributed by the developer of the old depot site.
2. Increase the capital works allocation to the Vlamingh Memorial Naturescape Park from \$10,000 to \$50,000, with the increase of \$40,000 to be funded from the municipal fund for playground construction projects subject to conditional approval of the funds outlined in point 1 above.

**Carried by Absolute Majority 6/1**  
**For: Mayor Angers, Crs Rodda, Tucak, Sadler, Young and Harkins**  
**Against: Cr Pyvis**

**EXECUTIVE SERVICES****10.1.10 REVIEW OF STANDING ORDERS LOCAL LAW 2012**

**File Ref:** SUB/2798  
**Attachments:** Nil  
**Responsible Officer:** Mat Humfrey, Chief Executive Officer  
**Author:** Mat Humfrey, Chief Executive Officer  
**Author Disclosure of Interest:** Nil

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**SUMMARY**

Council is being asked to consider initiating a review of the Standing Orders Local Law 2012.

**BACKGROUND**

At its meeting in May 2019, Council resolved;

*Moved Cr Young Seconded Cr Sadler*

*Council requests the Administration to implement the following:*

- 1. That, subject to paragraph2, questions submitted in writing by an Elected Member in advance of the Agenda Forum be put on the night (with answers from a Responsible Officer to the questions) with all questions and answers (including those of Elected Members not present at the Agenda Forum) to be circulated to Elected Members with the Agenda Papers for the relevant Council meeting;*
- 2. That questions submitted by an Elected Member not present at the Agenda Forum should not routinely be put at the Agenda Forum; and*
- 3. That the practice of printing Elected Members' Agenda questions (and answers to them) in the Agenda and Minutes of Council meetings be ceased.*
- 4. That a review of Council's Standing Orders be carried out as a priority.*

*Carried 5/2*

As such, this report is being presented to initiate the review of the Standing Orders Local Law 2012.

**STRATEGIC IMPLICATIONS**

This report is consistent with the Town's *Strategic Community Plan 2013 – 2023*.

Priority Area 6: Providing open and accountable local governance

Major Strategy 6.2: Continue to deliver high quality governance, administration, resource management and professional development.

**POLICY IMPLICATIONS**

There are no perceived policy implications arising from the officer's recommendation.

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**STATUTORY ENVIRONMENT**

*Local Government Act 1995*

**3.16. Periodic review of local laws**

- (1) *Within a period of 8 years from the day when a local law commenced or a report of a review of the local law was accepted under this section, as the case requires, a local government is to carry out a review of the local law to determine whether or not it considers that it should be repealed or amended.*
- (2) *The local government is to give Statewide public notice stating that —*
  - (a) *the local government proposes to review the local law; and*
  - (b) *a copy of the local law may be inspected or obtained at any place specified in the notice; and*
  - (c) *submissions about the local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given.*
- (2a) *A notice under subsection (2) is also to be published and exhibited as if it were a local public notice.*
- (3) *After the last day for submissions, the local government is to consider any submissions made and cause a report of the review to be prepared and submitted to its council.*
- (4) *When its council has considered the report, the local government may determine\* whether or not it considers that the local law should be repealed or amended.*

*\* Absolute majority required.*

**FINANCIAL IMPLICATIONS**

There are costs associated with the review of a local law, primarily advertising. These costs can be met from existing operating budgets.

If, following the review, Council resolves to repeal and replace the local law, or undertake substantial amendments to it, there could be associated costs with obtaining drafting advice.

**STAFFING IMPLICATIONS**

There are no perceived staffing implications arising from the officer's recommendation.

**ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

There are no perceived sustainability implications arising from the officer's recommendation.

**CONSULTATION**

The Town will need to undertake the formal advertising and associated feedback process, as outlined in the Statutory Environment section.

In addition, a workshop will be held with elected members during the review period to list any concerns that are present with the existing Standing Orders Local Law.

**OFFICER COMMENT**

Local laws, as a minimum, need to be reviewed every 8 years. As the Standing Orders Local Law was adopted by Council in May 2012, it would be due for review in May 2020. It should be noted that this is the minimum requirement and there is nothing preventing Council from having reviews undertaken more frequently.

While Council can initiate the review now and undertake the required advertising, it would be prudent to await the consideration of the first Local Government Act 1995 Amendment Bill, which is currently before the Legislative Council, before any review is finalised. It is possible that changes currently being considered by Parliament could affect the operation of any local law, but in particular local laws that set out meeting procedure.

**VOTING REQUIREMENT**

Simple Majority

**OFFICER RECOMMENDATION**

THAT Council;

1. Initiate a review of the Standing Orders Local Law 2012; and
2. Authorise the Chief Executive Officer to place the required notices and call for community submissions on the Standing Orders Local Law 2012 as required.

**COUNCILLOR MOTION**

**Moved Cr Young**

**Seconded Cr Rodda**

THAT Council

1. Initiate a review of the Standing Orders Local Law 2012;
2. Authorise the Chief Executive Officer to place the required notices and call for community submissions on the Standing Orders Local Law 2012 as required; and
3. Request the Administration to hold an interactive workshop with Elected Members during the review period in order to establish any concerns with existing Standing Orders Local Law which might inform proposed changes.

**COUNCILLOR AMENDMENT**

**Moved Cr Tucak**

**Seconded Cr Pyvis**

**Add a point 4 as follows:**

4. **Include reference to the imminent amendments to the Local Government Act in any advertisement or postpone adoption of any changes until after Royal Assent of those amendments.**

**Carried 4/3**

**For: Crs Rodda, Tucak, Sadler and Pyvis**

**Against: Mayor Angers, Crs Young and Harkins**

**SUBSTANTIVE MOTION AND COUNCIL RESOLUTION**

**THAT Council**

- 1. Initiate a review of the Standing Orders Local Law 2012;**
- 2. Authorise the Chief Executive Officer to place the required notices and call for community submissions on the Standing Orders Local Law 2012 as required; and**
- 3. Request the Administration to hold an interactive workshop with Elected Members during the review period in order to establish any concerns with existing Standing Orders Local Law which might inform proposed changes.**
- 4. Include reference to the imminent amendments to the Local Government Act in any advertisement or postpone adoption of any changes until after Royal Assent of those amendments.**

**Carried 7/0**

**10.1.11 AVONMORE STREET TREE SPECIES AMENDMENT TO MASTERPLAN**

**File Ref:** SUB/2798  
**Attachments:** Nil  
**Responsible Officer:** Mat Humfrey, Chief Executive Officer  
**Author:** Adeline Morrissey, Environmental Projects Officer  
**Author Disclosure of Interest:** Nil

Cr Pyvis declared an **IMPARTIALITY INTEREST** in item 10.1.11 by virtue "she is a Committee Member of West Tree Canopy."

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**SUMMARY**

Council is asked to approve a variation to the Street Tree Masterplan for the verge tree species along Avonmore Terrace where frontages are less than is required for amenity and western light.

**BACKGROUND**

The selected street tree on Avonmore Terrace as per Street Tree Masterplan is the *Melaleuca lanceolata* (Rottneest Island tea tree). It is recommended that for any individual property on Avonmore Terrace with a frontage of 8m or less there should be an allowance of an alternative species *Hakea laurina* to be planted. Further, it is recommended that the property on the corner of Princes Street and Avonmore Terrace also be planted with a *Hakea laurina* on the western verge as this is the approved species for the west end of Princes Street therefore would fit better into the streetscape for this area. The *Hakea laurina* has a mature height of 4 meters therefore will retain light and sun in front courtyards whereas the *Melaleuca lanceolata's* mature height is 8 meters will shadow the front courtyards off effected properties.

**STRATEGIC IMPLICATIONS**

This report is consistent with the Town's *Strategic Community Plan 2013 – 2023*.

Priority Area 1: Protecting and enhancing the wellbeing of residents and visitors

Major Strategy 1.6: Implement policies that protect existing trees and that actively seek to increase the tree canopy in Cottesloe.

**POLICY IMPLICATIONS**

Under the section 4.2 of the Street Tree Policy it states, '*Species to be planted at each location shall be in accordance with the approved Street Tree Master Plan.*' Therefore it is proposed that the Street Tree Masterplan be amended for Avonmore Terrace.

**STATUTORY ENVIRONMENT**

*Local Government Act 1995*

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**FINANCIAL IMPLICATIONS**

Resource requirements are in accordance with the existing budgetary allocation.

There are no perceived financial implications arising from the officer's recommendation.

**STAFFING IMPLICATIONS**

There are no perceived staffing implications arising from the officer's recommendation.

**ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

The amendments to the Street Tree Masterplan will not affect the number of trees planted on the verges. Planting methods and tree care will remain the same regardless of the species. Therefore there are no perceived sustainability implications arising from the officer's recommendation.

**CONSULTATION**

A letter was sent to all residents advising of the street tree planting program in May. Further consultation has taken place with residents along Avonmore Terrace who have expressed concern regarding the height and spread of the *Melaleuca lanceolate* street tree.

**OFFICER COMMENT**

The trees which have been reviewed and are of concern to the residents are in front of houses on subdivided blocks (small outdoor courtyards located on western side). A map of verges and photos of current plantings are provided below.







**VOTING REQUIREMENT**

Simple Majority

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION**

Moved Cr Rodda

Seconded Cr Sadler

**THAT Council APPROVES the amendment to the Street Tree Masterplan for Avonmore Terrace to allow the option of planting the *Hakea laurina* tree where frontages are less than or equal to 8m.**

**Carried 7/0**

**10.2 RECEIPT OF COMMITTEE MINUTES**

**10.2.1 RECEIPT OF COMMITTEE MINUTES**

- Attachments:**
- 10.2.1(a) Unconfirmed Minutes - Art Advisory Panel - 21 May 2019 [under separate cover]**
  - 10.2.1(b) Unconfirmed Minutes - Disability Services Advisory Committee - 11 June 2019 [under separate cover]**

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION**

**Moved Cr Rodda**

**Seconded Cr Sadler**

**That Council note the attached Unconfirmed Minutes of the Committee Meetings.**

**Carried 7/0**

**10.3 REPORTS OF COMMITTEES**

Nil

**11 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN****11.1 COUNCILLOR MOTION - BROOME STREET TREE PLANTINGS**

Cr Young declared an **IMPARTIALITY INTEREST** in item 11.1 by virtue "some of the effected residents are known to her."

Cr Pyvis declared an **IMPARTIALITY INTEREST** in item 11.1 by virtue "she is a Committee Member of West Tree Canopy."

Cr Harkins declared an **IMPARTIALITY INTEREST** in item 11.1 by virtue "one of the home owners is reasonably well-known to her."

\*Cr Tucak declared an **IMPARTIALITY INTEREST** in item 11.1 by virtue "the residents were known to him."

\*Cr Tucak's interest was included in the minutes as resolved by Council at item 8 of the Ordinary Council Meeting held on 23 July 2019.

The following motion has been proposed by Cr Tucak.

**COUNCILLOR MOTION****Moved Cr Tucak****Seconded Cr Pyvis**

THAT Council:

1. Allows the request for no planting of the street trees on the verges at 86 to 94 Broome Street on the grounds set out in the rationale, below, and acknowledging that it is an exceptional case in which departure from Council's Street Tree Policy is warranted;
2. Requests the Administration to consider whether any unused Norfolk Island Pines planting stock resulting from the above can be planted in Loma St, where residents are desirous of the same.

**Lost 1/6****For: Cr Tucak****Against: Mayor Angers, Crs Rodda, Sadler, Young, Pyvis and Harkins****FORESHADOWED MOTION****Moved Cr Tucak****Seconded Cr Pyvis**

Amend the street tree policy clause 4.3.1 to read "Feedback on the location of a tree on the verge will be considered and the final decision on the location of the tree on the verge will be made by the Manager Engineering Services".

**Lost 2/5****For: Crs Tucak and Pyvis****Against: Mayor Angers, Crs Rodda, Sadler, Young and Harkins****FORESHADOWED MOTION AND COUNCIL RESOLUTION****Moved Cr Young****Seconded Cr Harkins**

**That the proposed amendment to the street tree policy referred to in the Councillor motion be brought to the next Briefing and Agenda Forums for further consideration by Council.**

Carried 6/1

For: Mayor Angers, Crs Rodda, Sadler, Young, Pyvis and Harkins  
Against: Cr Tucak

The Mayor advised that Council would now return to the items as listed in the agenda.

**COUNCILLOR RATIONALE**

1. Broome St between Forrest St and Jarrad St is unique in terms of its tree planting and it is not able to set a precedent for other streets in the town, due its heritage and uniqueness now;
2. This section of Broome St does not contain any Norfolk Island Pines planted in 1915, and this unique section of Broome St has remained like this for over 100 years without plantings;
3. Due to its elevation and the Sea View Golf Course, it is equivalent to the beachfront along Marine Pde in that there are no residences to the west (but there are many established trees);
4. As recently as June 2018 residents in this section had confirmation that they could choose not to have street trees planted, and had relied on this. They were only notified of the new Street Tree Policy a month ago when notified of new tree planting now being imminent on their verges and they have acted very promptly to request the Town to reconsider planting any Norfolk Island Pines.
5. Council should exercise its discretion in cases (such as this) where residents have requested exemption in a very constructive timely manner prior to planting and where it can be achieved without creating a precedent for any other streets in the Town due to uniqueness and heritage and without undermining the Street Tree Policy and the Town's ability to fill in gaps in between existing trees.
6. Norfolk Island Pines are the preferred plantings for Loma St in the Street Tree Masterplan, and many residents in Loma St have requested Council plant more Norfolk Island Pines there.

**OFFICER COMMENT**

As advised in briefings and during consideration of the Street Tree Policy, the Administration's discretion on this issue is limited to the timing of planting and the final placement of trees.

In section 4.3.1 of the Policy it does state "that the final decision will be made by the Manager Engineering Services", which some have taken to mean the MES can act in absolute discretion. However, in the absence of the granting of absolute discretion, that decision needs to be taken in accordance with the remainder of the Policy, specifically points i. through v. above as point i. states:

- i. ENSURE a minimum of one tree is planted per verge adjacent to each residential property, including new developments;

It is not open to the MES to grant permanent exemption as the residents have requested.

The CEO has reviewed the motion attached and has no concerns with the drafting or direction it provides. It should be noted that if the motion is supported by Council, we would be recommending to Council that the Street Tree Policy be amended to include a list of exempted properties to avoid any future confusion.

**12 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING BY:**

**12.1 ELECTED MEMBERS**

Nil

**12.2 OFFICERS**

Nil

**13 MEETING CLOSED TO PUBLIC**

**13.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

**13.2 PUBLIC READING OF RECOMMENDATIONS THAT MAY BE MADE PUBLIC**

Nil

**14 MEETING CLOSURE**

The Mayor announced the closure of the meeting at 7:20pm.